Article - Local Government

§10–305.

(a)   A county may enact local laws to provide for:

(1)   the establishment of a county board of appeals, whose members shall be appointed by the county legislative body;

(2)   the number, qualifications, terms, and compensation of the members of the county board of appeals;

(3)   the adoption by the county board of appeals of rules of practice that govern its proceedings; and

(4)   a decision by the county board of appeals on petition of any interested person, after notice and opportunity for hearing, on the basis of a record before the board.

(b)   The county board of appeals may have original jurisdiction or jurisdiction to review the action of an administrative officer or unit of county government over matters arising under any law, ordinance, or regulation of the county council that concerns:

(1)   an application for a zoning variation or exception or amendment of a zoning map;

(2)   the issuance, renewal, denial, revocation, suspension, annulment, or modification of any license, permit, approval, exemption, waiver, certificate, registration, or other form of permission or of any adjudicatory order; or

(3)   the assessment of any special benefit tax.

(c)   When issuing a decision, the county board of appeals shall file an opinion that shall include a statement of the facts found and the grounds for the decision.

(d)   (1)   Any person aggrieved by the decision and a party to the proceeding before the county board of appeals may seek review by the circuit court for the county.

(2)   The circuit court may:

(i)   affirm the decision; or

(ii)   if the decision is not in accordance with law:

1.   modify the decision with or without remanding the case for rehearing; or

2.   reverse the decision with or without remanding the case for rehearing.

(3)   Any party to the proceeding in the circuit court aggrieved by the decision of the circuit court may appeal to the Court of Special Appeals in the same manner provided for civil cases.

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